

MINUTES

IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY

SEPTEMBER 22, 2010

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

***CLOSED SESSION MEETING – 5:15 P.M.
REGULAR MEETING – 6:00 P.M.***

CALL TO ORDER

MAYOR JANNEY called the Closed Session Meeting to order at 5:15 p.m.

ROLL CALL

Councilmembers present:	Bragg, Rose
Councilmembers absent:	McCoy
Mayor present:	Janney
Mayor Pro Tem present:	King

Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

CLOSED SESSION

MOTION BY KING, SECOND BY BRAGG, TO ADJOURN TO CLOSED SESSION UNDER:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Property: 800 Seacoast Drive, Imperial Beach, CA 91932, APN 625-262-01-00
Agency Negotiator: City Manager and City Attorney
Negotiating Parties: Imperial Coast LTD Partnership
Under Negotiation: Instruction to Negotiators will concern price and terms of payment

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Property: Unimproved site of 1.15 acres with a paved Class I bike path,
Imperial Beach, CA 91932, APN 616-021-10
Agency Negotiator: City Manager and City Attorney
Negotiating Parties: San Diego County Regional Airport Authority
Under Negotiation: Instruction to Negotiators will concern price and terms of payment

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a):

Case Name: Imperial Beach Redevelopment Agency v. Shawki Bachoua dba Southbay
Drugs
Case No: 37-2010-00030617-CL-UD-SC

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(c):

No. of Cases: 1

MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY, ROSE

MAYOR JANNEY adjourned the meeting to Closed Session at 5:16 p.m. and he reconvened the meeting to Open Session at 6:03 p.m. Reporting out of Closed Session, CITY ATTORNEY LYON announced Council met earlier in Closed Session, direction was given to staff, and had no reportable action.

REGULAR MEETING CALL TO ORDER

MAYOR JANNEY called the Regular Meeting to order at 6:04 p.m.

ROLL CALL

Councilmembers present:	Bragg, Rose
Councilmembers absent:	McCoy
Mayor present:	Janney
Mayor Pro Tem present:	King

Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

AGENDA CHANGES

MOTION BY BRAGG, SECOND BY ROSE, TO CONTINUE ITEM NOS. 2.4 – RESOLUTION NO. 2010-6945 – AUTHORIZING THE ACCEPTANCE OF CALTRANS RELINQUISHMENT OF PROPERTY TO FACILITATE THE REALIGNMENT OF THE PALM AVENUE/STATE ROUTE (SR) 75 INTERSECTION ADJACENT TO THE PROPOSED 9TH AND PALM REDEVELOPMENT PROJECT AND 3.1 – ORDINANCE NO. 2010-1108 – AMENDING TITLE 12 – “STREETS, SIDEWALKS, AND PUBLIC PLACES” TO ADD CHAPTER 12.76 - “NEWS RACKS AFFECTING PUBLIC SAFETY” TO THE IMPERIAL BEACH MUNICIPAL CODE TO THE NEXT SCHEDULED MEETING. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES

COUNCILMEMBER BRAGG reported on her attendance at the League of California Cities Annual Conference and noted all resolutions under consideration were approved with exception of the resolution on AB 32 as it was pulled with no action.

COUNCILMEMBER ROSE also attended the League of California Cities Annual Conference and spoke about information she received on utilizing social media as a means for reaching out to the community to increase public participation in local government.

MAYOR PRO TEM KING announced a candidates forum is scheduled for September 29 at the Boys and Girls Club; he reported on the SANDAG Transportation Committee meeting where there was a discussion on trolley ridership; there was a request to make a priority the funding of improvements along the grade crossings in the South Bay, and it was noted that there is higher

ridership on the South Bay, as well as a greater number of trips compared to other areas; and he reported on his attendance at a meeting of coastal cities he attended with Mayor Janney.

MAYOR JANNEY reported on his attendance at the League of California Cities Annual Conference and at the meeting of coastal cities.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

ED KRAVITZ asked for his request for access to video streaming of City Council meetings be agendaized for a future City Council meeting.

JOHN CARR stated staff told him to initiate and pay for a comprehensive traffic plan on Elm Ave. before his request to extend his balcony on Elm Ave. could be processed; he suggested the plan be handled as a RDA project rather than be paid by a member of the public; he questioned the salaries of City Council and senior staff; and he questioned if existing fees went before the public for a vote.

CONSENT CALENDAR (2.1 - 2.3 & 2.5 - 2.8)

COUNCILMEMBER BRAGG announced she had a potential conflict of interest on Item No. 2.6 (due to the location of her current employment) and would not participate on the vote of that item.

MOTION BY JANNEY, SECOND BY KING, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.3 AND 2.5, 2.7, AND 2.8. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

WITH REGARD TO ITEM NO. 2.6, MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY
DISQUALIFIED:	COUNCILMEMBERS:	BRAGG (DUE TO A POTENTIAL CONFLICT OF INTEREST)

2.1 MINUTES.

Approved the minutes of the Special City Council Meeting of July 13, 2010 and the Regular City Council Meetings of July 21 and August 4, 2010.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 71583 through 71678 with the subtotal amount of \$1,026,711.76 and Payroll Checks 43074 through 43138 for the pay period ending 08/26/10 with the subtotal amount of \$165,084.54, for a total amount of \$1,191,796.30.

2.3 RESOLUTION NO. 2010-6939 – AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND THE CITY OF IMPERIAL BEACH FOR THE REALLOCATION OF FISCAL YEAR 2008-2009 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FROM PUBLIC SAFETY/FIRE STATION ENHANCEMENTS AND EQUIPMENT UPGRADES PROJECT TO CIVIC

CENTER CROSSWALK IMPROVEMENT PROJECT. (0650-33)

Adopted resolution.

- 2.4 RESOLUTION NO. 2010-6945 – AUTHORIZING THE ACCEPTANCE OF CALTRANS RELINQUISHMENT OF PROPERTY TO FACILITATE THE REALIGNMENT OF THE PALM AVENUE/STATE ROUTE (SR) 75 INTERSECTION ADJACENT TO THE PROPOSED 9TH AND PALM REDEVELOPMENT PROJECT. (0150-30 & 0640-20)**

Item pulled from the agenda by prior City Council action.

- 2.5 RESOLUTION NO. 2010-6946 – DELEGATING TO CITY MANAGER AUTHORITY TO MAKE DISABILITY RETIREMENT DETERMINATIONS. (0520-95)**

Adopted resolution.

- 2.6 RESOLUTION NO. 2010-6943 – RATIFYING PEDESTRIAN AND VEHICULAR ACCESS AGREEMENT FOR FINAL MAP (TM 03-091) OF THE REDEVELOPMENT OF THE SEACOAST INN, A PROPOSED 78 ROOM HOTEL LOCATED AT 800 SEACOAST DRIVE, IN THE C-2 (SEACOAST COMMERCIAL) ZONE. MF 661. (0660-43)**

Adopted resolution.

- 2.7 RESOLUTION NO. 2010-6940 – APPROVING COUNCIL POLICY 613: POLICIES AND REGULATIONS GOVERNING BANNER HANGING PROCEDURES, FEES AND GUIDELINES. (0920-60 & 0920-70)**

City Manager's Recommendation: Adopted resolution.

- 2.8 RATIFICATION OF COMMERCIAL ZONING REVIEW AD HOC COMMITTEE. (0410-50 & 0610-95)**

Ratified the formation of the committee and appointment of the members.

PRESENTATIONS (1.1)

- 1.1 PRESENTATION OF FLAG TO DEE MCLEAN. (0410-30)**

CITY MANAGER BROWN introduced the item.

MAYOR JANNEY presented the flag, flown over Veterans Park on Memorial Day, to Dee McLean, widow of late Councilmember Fred McLean.

ORDINANCES – INTRODUCTION/FIRST READING (3.1)

- 3.1 ORDINANCE NO. 2010-1108 – AMENDING TITLE 12 – “STREETS, SIDEWALKS, AND PUBLIC PLACES” TO ADD CHAPTER 12.76 – “NEWS RACKS AFFECTING PUBLIC SAFETY” TO THE IMPERIAL BEACH MUNICIPAL CODE. (0720-95)**

Item pulled from the agenda by prior City Council action.

ORDINANCES – INTRODUCTION/FIRST READING/PUBLIC HEARING (3.2)

- 3.2 ORDINANCE NO. 2010-1111 – TO CORRECTLY STATE AND EXTEND THE PLAN EFFECTIVENESS AND TAX INCREMENT DEADLINES FOR THE REDEVELOPMENT PLAN FOR THE PALM AVENUE/COMMERCIAL REDEVELOPMENT PROJECT PERTAINING TO THE ORIGINAL PROJECT AREA AND THE ADDED AREA PURSUANT TO HEALTH AND SAFETY CODE SECTION 33333.2 (c). (0640-95)**

CITY MANAGER BROWN introduced the item.

MAYOR JANNEY declared the public hearing open.

CITY CLERK HALD announced no speaker slips were submitted.

MAYOR JANNEY closed the public hearing and called for the introduction of Ordinance No. 2010-1111.

CITY CLERK HALD read the title of Ordinance No. 2010-1111, an Ordinance of the City Council of the City of Imperial Beach, California, to correctly state and extend the plan effectiveness and tax increment deadlines for the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project pertaining to the Original Project Area and the added area pursuant to Health and Safety Code Section 33333.2 (c).

MOTION BY KING, SECOND BY ROSE, TO DISPENSE WITH FIRST READING AND INTRODUCTION OF ORDINANCE NO. 2010-1111 BY TITLE ONLY AND WAIVE FURTHER READING, SET THE MATTER FOR ADOPTION AT THE NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING, AND AUTHORIZE THE PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

ORDINANCES – SECOND READING & ADOPTION (4.1 - 4.2)

4.1 ORDINANCE NO. 2010-1109 – AMENDING THE PROVISIONS OF THE CITY OF IMPERIAL BEACH MUNICIPAL CODE, AMENDING SECTION 1.12.020 OF CHAPTER 1.12 AND SECTIONS 1.22.030, 1.22.060, 1.22.070, 1.22.080, 1.22.100, 1.22.110, 1.22.120, AND 1.22.160 OF CHAPTER 1.22 OF THE IMPERIAL BEACH MUNICIPAL CODE REGARDING CIVIL PENALTIES, ADMINISTRATIVE CITATIONS, AND FINES. (0470-95)

CITY MANAGER BROWN introduced the item.

CITY CLERK HALD announced no speaker slips were submitted.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2010-1109.

CITY CLERK HALD read the title of Ordinance No. 2010-1109, An Ordinance of the City Council of the City of Imperial Beach, California, amending Section 1.12.020 of Chapter 1.12 and Sections 1.22.030, 1.22.060, 1.22.070, 1.22.080, 1.22.100, 1.22.110, 1.22.120, and 1.22.160 of Chapter 1.22 of the Imperial Beach Municipal Code regarding civil penalties, administrative citations, and fines.

MOTION BY ROSE, SECOND BY BRAGG, TO DISPENSE WITH SECOND READING AND ADOPT ORDINANCE NO. 2010-1109 BY TITLE ONLY. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

4.2 ORDINANCE NO. 2010-1110 – ADDING PROVISIONS TO THE CITY OF IMPERIAL BEACH MUNICIPAL CODE, ADDING CHAPTER 9.80 OF THE IMPERIAL BEACH MUNICIPAL CODE, PERTAINING TO ADULT ENTERTAINMENT ESTABLISHMENTS. (0280-95)

CITY MANAGER BROWN introduced the item.

ROBERT DEPIANO, representing Palm Ave. Books, Inc., was available for questions (did not speak).

MAYOR JANNEY called for the reading of the title of Ordinance No. 2010-1110.

CITY CLERK HALD read the title of Ordinance No. 2010-1110, An Ordinance of the City Council of the City of Imperial Beach, California, adding Chapter 9.80 to the Imperial Beach Municipal Code pertaining to Adult Entertainment Establishments.

MOTION BY KING, SECOND BY ROSE, TO DISPENSE WITH SECOND READING AND ADOPT ORDINANCE NO. 2010-1110 BY TITLE ONLY. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

PUBLIC HEARINGS (5.1 - 5.2)

5.1 RESOLUTION NO. R-10-227 – RESOLUTION OF NECESSITY OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY PERTAINING TO THE ACQUISITION OF CERTAIN PROPERTY OR INTEREST IN PROPERTY, LEASEHOLD INTEREST IN PROPERTY, IF ANY, AND LOSS OF GOODWILL PURSUANT TO SECTION 1263.510 OF THE CODE OF CIVIL PROCEDURE, IF ANY FOR USE BY THE AGENCY IN THE DEVELOPMENT OF 9TH & PALM REDEVELOPMENT PROJECT IN COMPLIANCE WITH THE REQUIREMENTS OF SECTION 1245.230 OF THE CODE OF CIVIL PROCEDURE OF THE STATE OF CALIFORNIA. (0640-20)

E-mail correspondence and attachments (letters dated September 1, 2010 and September 22, 2010 from Charles Campbell of Point Loma Law) were submitted as Last Minute Agenda Information.

MAYOR JANNEY declared the public hearing open.

CITY MANAGER BROWN introduced the item.

HERBERT BEARD, a longtime patron of South Bay Drugs, encouraged City Council to negotiate with the business owner and to keep the business in town.

CORINNE CLARK, of Point Loma Law, stated Mr. Campbell submitted a letter at the September 1 City Council meeting outlining the facts of the case and that letter remains accurate; she supported adoption of the Resolution of Necessity and that the special counsel be authorized to negotiate a global settlement of the condemnation action and the pending appeal with the Bachoua family and Southbay Drugs.

CITY ATTORNEY BOEHMER reported Epic Solutions (relocation consultant) provided several proposed sites to Southbay Drugs, to which they indicated none met their needs; Epic Solutions continues to work with them on relocating them in the community or to another location they find appropriate; he stressed that attempts have been made to obtain documents to substantiate any numbers that are being offered for resolution purposes but he has yet to receive documents; he is willing to negotiate with Mr. Campbell on a global resolution; and he gave an overview of the relocation process.

MAYOR JANNEY closed the public hearing.

MOTION BY ROSE, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. R-10-227 – PERTAINING TO THE ACQUISITION OF CERTAIN PROPERTY OR INTEREST IN PROPERTY, LEASEHOLD INTEREST IN PROPERTY, IF ANY, AND LOSS OF GOODWILL PURSUANT TO SECTION 1263.510 OF THE CODE OF CIVIL PROCEDURE, IF ANY, FOR USE BY THE AGENCY IN THE DEVELOPMENT OF 9TH & PALM REDEVELOPMENT

PROJECT IN COMPLIANCE WITH THE REQUIREMENTS OF SECTION 1245.230 OF THE CODE OF CIVIL PROCEDURE OF THE STATE OF CALIFORNIA. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

5.2 RESOLUTION NO. 2010-6942 – AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SIGN AND FORWARD THE CITY’S JURISDICTIONAL URBAN RUNOFF MANAGEMENT PROGRAM (JURMP) ANNUAL REPORT FOR FISCAL YEAR 2009-2010 TO THE REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION. (0770-65)

MAYOR JANNEY declared the public hearing open.

City Council expressed appreciation of staff’s efforts in successfully running the Jurisdictional Urban Runoff Management Program; it was noted that portions of the program are unfunded state mandates and the program requires a tremendous amount of work by staff.

MAYOR JANNEY closed the public hearing.

MOTION BY KING, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2010-6942 – AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SIGN AND FORWARD THE CITY’S JURISDICTIONAL URBAN RUNOFF MANAGEMENT PROGRAM (JURMP) ANNUAL REPORT FOR FISCAL YEAR 2009-2010 TO THE REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

REPORTS (6.1 - 6.11)

6.1 RESOLUTION NO. 2010-6947 – AUTHORIZING THE CITY MANAGER TO EXECUTE THE EXCLUSIVE USE AND OCCUPANCY PERMIT BETWEEN THE CITY OF IMPERIAL BEACH AND THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY. (0680-10 & 0680-20)

CITY MANAGER BROWN reported on the item.

MOTION BY JANNEY, SECOND BY ROSE, TO ADOPT RESOLUTION NO. 2010-6947 – AUTHORIZING THE CITY MANAGER TO EXECUTE THE EXCLUSIVE USE AND OCCUPANCY PERMIT BETWEEN THE CITY OF IMPERIAL BEACH AND THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY.

Council expressed their appreciation for staff’s efforts and they spoke of the benefits that would result from the permit’s execution.

VOTES WERE NOW CAST ON ORIGINAL MOTION BY JANNEY, SECOND BY ROSE, TO ADOPT RESOLUTION NO. 2010-6947 – AUTHORIZING THE CITY MANAGER TO EXECUTE THE EXCLUSIVE USE AND OCCUPANCY PERMIT BETWEEN THE CITY OF IMPERIAL BEACH AND THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

**6.2 PROPOSED PROJECT PROPOSALS FOR THE FISCAL YEAR 2011-2012
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM. (0650-33)**

CITY MANAGER BROWN introduced the item.

Due to the narrow scope and time constraints of the CDBG Program, City Council requested additional information on other funding sources for the proposed list of projects at the next City Council meeting, and to hold the public hearing at the October 20 City Council meeting.

COUNCILMEMBER BRAGG spoke in favor of funding the remodel of the Sports Park and Veterans Park restrooms.

MOTION BY JANNEY, SECOND BY KING, TO SET A PUBLIC HEARING FOR OCTOBER 20, 2010. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

**6.3 RESOLUTION NO. 2010-6927 – ACCEPTING THE 2010 STORM DRAIN STUDY.
(0770-90)**

CITY MANAGER BROWN introduced the item.

ENVIRONMENTAL PROGRAM MANAGER HELMER gave a PowerPoint presentation on the item.

**MOTION BY BRAGG, SECOND BY KING, TO ADOPT RESOLUTION NO. 2010-6927 –
ACCEPTING THE 2010 STORM DRAIN STUDY. MOTION CARRIED BY THE FOLLOWING
VOTE:**

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

**6.4 RESOLUTION NO. R-10-229 – APPROVING THE APPLICATION FOR GRANT
FUNDS FROM THE RECREATIONAL TRAILS PROGRAM. (0390-86)**

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN reported on the item.

Council discussion ensued regarding access points along the bikeway, the future completion of the Bikeway Village project, looking at smaller containers and more frequent dumping of containers in an effort to work with the constrained area and to reduce costs.

PUBLIC WORKS DIRECTOR LEVIEN responded that large bins allow disposal of large items, such as trees and large metals; he commented there will be additional design costs if we have to do this again.

CITY MANAGER BROWN stated staff will pursue the grant and find cheaper alternatives for handling the waste.

There was discussion regarding the US Fish & Wildlife's support of the project and the parking could be an asset.

MOTION BY BRAGG, SECOND BY ROSE, TO DIRECT STAFF TO PROCEED WITH THE RTP GRANT APPLICATION SUBMISSION; AND ADOPT RESOLUTION NO. R-10-229 – APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE RECREATIONAL TRAILS PROGRAM. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

6.5 MONTHLY UPDATE REPORT ON THE REDEVELOPMENT OF THE SEACOAST INN HOTEL. (0640-43)

COUNCILMEMBER BRAGG announced she had a potential conflict of interest on the item due to the location of her current employment and left Council Chambers at 7:40 p.m.

CITY MANAGER BROWN introduced the item.

ED SPRIGGS, speaking in his personal capacity as a citizen and resident of Imperial Beach, expressed concern about the condition of the site after the demolition of the existing hotel if there is a break in continuity between the demolition and the start of construction of the new hotel; he expressed concern regarding the site being unsightly and regarding possible safety issues; he questioned what the plans are for continuity, management of the site, and if there is a gap what will be the conditions of the site.

ALLISON ROLFE announced demolition is underway and began on September 13 with the completion at the end of October; intentions are to commence construction as soon as the demolition is completed; however, financing is not locked in; they are still in negotiations with Wells Fargo and the City; she will find out the plans for the condition of the site after demolition of the hotel from Enrique Terazas, Construction Project Manager, and relay that information to the City in a letter; and she announced the building permit plans will be resubmitted in mid-October.

COMMUNITY DEVELOPMENT DIRECTOR WADE stated if there is a delay, staff will assess the site upon demolition of the hotel; best management practices would have to be in place, a construction fence would have to be maintained in an appropriate condition, and anything visually unappealing would be handled on a site specific basis.

MS. ROLFE stated she will follow up with regard to comments made regarding young people sitting on the monument signs located at the corner of the property and why the fence was not moved to surround the area as previously discussed, she announced a Save the Date for a community celebration for October 2 was distributed but the date may change.

There was disappointment expressed regarding the building permit submittal being three months late and regarding requests for financial assistance after Ash Israni made assurances that tasks would be completed; it was commented that Pacifica has failed to perform, it will take time for staff to review the plans, and the objective is to get to the point of construction not to the point of demolition.

CITY MANAGER BROWN stated if the plans are submitted in mid-October, staff will plan for a gap between demolition and start of construction.

MS. ROLFE responded she will advise the Construction Project Manager to submit the construction plans before mid October.

COUNCILMEMBER BRAGG returned to Council Chambers at 8:02 p.m.

Item No. 6.9 discussed at 8:00 p.m. – TIME SPECIFIC

6.9 RATIFICATION OF THE COMMERCIAL ZONING REVIEW RECOMMENDATIONS, INCLUDING REVISIONS PROPOSED BY THE AD HOC COMMITTEE. (0610-95)

CITY MANAGER BROWN introduced the item.

Council spoke positively about the document and efforts made by staff and the consultant.

COUNCILMEMBER ROSE announced the document and appendices are available online; and she announced community meetings will take place on September 29 and October 7.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a report on the item.

MOTION BY JANNEY, SECOND BY KING, TO RATIFY THE COMMERCIAL ZONING REVIEW RECOMMENDATIONS DOCUMENT AS PRESENTED BY THE AD HOC COMMITTEE. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

6.6 SEASIDE POINT NEIGHBORHOOD STOP SIGN ALIGNMENT. (0750-55)

COUNCILMEMBER ROSE announced that in an abundance of caution, she would recuse herself from discussion of the item (due to a potential conflict of interest) and she left Council Chambers at 8:08 p.m.

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a PowerPoint presentation on the item; and asked for City Council's direction on whether or not to develop a plan for City Council's consideration.

City Council expressed support for the project; requested notification to the neighborhood prior to commencement of the project; and there was a request to keep City Council updated on the anticipated start date and progress of the project.

PUBLIC WORKS DIRECTOR LEVIEN stated the project will begin in February or March.

COUNCILMEMBER ROSE returned to Council Chambers at 8:25 p.m.

6.7 INSTALLATION OF SCULPTURAL URBAN TREE AT THE MARINA VISTA CENTER FRONTAGE OFF OF 8TH STREET. (0150-70 & 1000-10)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN, along with ASSISTANT PROJECT MANAGER CUMMING, gave a PowerPoint presentation on the item.

Consensus of City Council to approve the location for installation of "Wind and Shadow" sculpture in front of the Marina Vista Center; and authorize the City Manager or his designee to work with the Port of San Diego and the artist for the loan of the Urban Tree for the Urban Tree selected.

6.8 RESOLUTION NO. R-10-228 – AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF ACCEPTING THE FISCAL YEAR 2010-2011 ENVIRONMENTAL JUSTICE GRANT. (0390-86)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

MOTION BY ROSE, SECOND BY KING, TO ADOPT RESOLUTION NO. R-10-228 – AUTHORIZING THE EXECUTIVE DIRECTOR, IMPERIAL BEACH REDEVELOPMENT AGENCY, TO ENTER INTO A CONTRACT WITH STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF ACCEPTING THE FISCAL YEAR 2010-2011 ENVIRONMENTAL JUSTICE GRANT. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

6.10 RESOLUTION NO. R-10-230 – AWARDING A CONTRACT FOR ELM AVENUE / 7TH STREET UNDERGROUND UTILITY DISTRICT STREET LIGHT TRENCH WORK, CONDUIT INSTALLATION AND LIGHT POLE FOUNDATIONS, AND TO RATIFY EXECUTION OF THE CONTRACT. (0720-60)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

City Council supported installation of the eight light poles currently in storage at the Public Works Yard and to purchase eight new poles (rather than wait for the pulling of poles from another project) in order to complete the project.

MOTION BY BRAGG, SECOND BY ROSE, TO ADOPT RESOLUTION NO. R-10-230 – TO AWARD A CONTRACT FOR ELM AVENUE / 7TH STREET UNDERGROUND UTILITY DISTRICT STREET LIGHT TRENCH WORK, CONDUIT INSTALLATION AND LIGHT POLE FOUNDATIONS AND TO RATIFY EXECUTION OF THE CONTRACT. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

6.11 RESOLUTION NO. 2010-6944 – AFFIRMING A SERVICE CONTRACT WITH STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS, INMATE COMMUNITY WORK CREWS (AGREEMENT NUMBER 5600001362). (0920-20)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

MOTION BY JANNEY, SECOND BY ROSE, TO ADOPT RESOLUTION NO. 2010-6944 – AFFIRMING A SERVICE CONTRACT WITH STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS, INMATE COMMUNITY WORK CREWS (AGREEMENT NUMBER 5600001362).

PUBLIC WORKS DIRECTOR LEVIEN spoke about the difficulties in working with the Donovan crew and explained, even with these difficulties, there is no alternative that can get as much work done for the same price.

VOTES WERE NOW CAST ON ORIGINAL MOTION BY JANNEY, SECOND BY ROSE, TO ADOPT RESOLUTION NO. 2010-6944 – AFFIRMING A SERVICE CONTRACT WITH STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS, INMATE COMMUNITY WORK CREWS (AGREEMENT NUMBER 5600001362). MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BRAGG, ROSE, KING, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	MCCOY

ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 8:51 p.m.

James C. Janney, Mayor

Jacqueline M. Hald, CMC
City Clerk